

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROGER W. KNIGHT,

Plaintiff,

v.

DAVID J. BROWNE, et al.,

Defendants.

No. C07-738MJP

ORDER DENYING MOTION FOR  
CLARIFICATION

This matter comes before the Court on Plaintiff Knight's motion for clarification of the Court's June 27, 2007 Order. (Dkt. Nos. 16 & 17.) Defendants oppose the motion. (Dkt. No. 20.) Having considered the motion and response, Plaintiff's reply (Dkt. No. 23) and the record herein, the Court DENIES Plaintiff's motion.

On June 27, the Court issued an order denying Plaintiff's request for a preliminary injunction. Plaintiff had requested that the Court enjoin Defendants from disciplining Mr. Knight as a result of Mr. Knight's alleged unauthorized practice of engineering, in violation of RCW 18.43. (Dkt. No. 14.) Before the Court was evidence of two letters that Mr. Knight sent to the City of Kenmore, Washington, in which Mr. Knight identified himself as an "engineer" and in which Mr. Knight discussed engineering defects in a proposed housing development. (Order at 2.) The Court denied Plaintiff's request for an injunction because Plaintiff had failed to show a likelihood of success on his claim that RCW 18.43 violates the United States or Washington Constitutions, and had failed to raise serious questions about the statute's constitutionality. (Order at 6.)

1 Plaintiff now asks the Court to “clarify” its June 27<sup>th</sup> order and rule that the substance of the  
2 letters he sent to the City of Kenmore do not violate RCW 18.43. The Court will not make such a  
3 “clarification.” The issue before the Court was whether RCW 18.43 was constitutional, not whether  
4 specific letters violate the statute. Whether Mr. Knight violated the provisions of RCW 18.43 when  
5 he sent the two at-issue letters is a wholly separate matter. Thus, no “clarification” of the Court’s  
6 previous order is necessary and Plaintiff’s motion is therefore DENIED.

7 The clerk is directed to send copies of this letter to all counsel of record.

8 Dated: August 8<sup>th</sup>, 2007.

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11 Marsha J. Pechman  
12 United States District Judge  
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